



## LAND DEVELOPMENT STAFF REPORT AND RECOMMENDATION

### Subject/Agenda Item:

**Second Reading & Adoption Reading:** A City-initiated request for a text amendment that will update the Capital Improvement Element within the Comprehensive Plan.

☒ Recommendation to APPROVE

☐ Recommendation to DENY

☐ Quasi-Judicial

☒ Legislative

☒ Public Hearing

<b>Originating Department:</b>  <b>Planning &amp; Engineering</b>  Project Manager  _____ Caryn Gardner-Young, Zoning Administrator	<b>Reviewed By:</b>  Director of Planning & Engineering  _____ Kara L. Irwin-Ferris, AICP  _____ Glen J. Torcivia City Attorney
<b>Approved By:</b>  <b>City Manager</b>  _____ <b>Andrea McCue</b>	<b>Public Notice:</b> <input checked="" type="checkbox"/> Required <input type="checkbox"/> Not Required Dates: 10/7/21; 10/21/21; 12/23/21 Paper: The Lake Worth Herald Mailing <input type="checkbox"/> Required <input checked="" type="checkbox"/> Not Required Notice Distance: _____

<b>Attachments:</b> <ul style="list-style-type: none"> <li>Ordinance 2021-15</li> <li>Exhibit "A"</li> </ul>	<b>City Council Action:</b> <input type="checkbox"/> Approval <input type="checkbox"/> Approve with conditions <input type="checkbox"/> Denial <input type="checkbox"/> Continued to: _____
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## **I. Executive Summary**

The Florida legislature mandated that local governments plan for the availability of public facilities and services to support development concurrent with the impact of such development. Consequently, the Capital Improvements Element (CIE) has become the “cornerstone” of achieving this mandate. The goals, objectives and policies set forth in the Capital Improvement Element are the general ends the City of Greenacres wants to achieve; the objectives that need to be accomplished to achieve them; and the positions, programs and level of service standards which need to be adopted in order to achieve the objectives.

Previously, § 163.3177, F.S. required that cities annually update their CIE and Five-Year Schedule of Capital Improvements. However, Chapter 163.3177 was modified in two important ways upon passing of the 2011 Community Planning Act. First, Section 163.3117(3)(a)(4) previously required that the capital improvements element cover a 5-year period and identified whether projects were funded or unfunded and be accompanied by a priority. This section of Florida Statutes no longer requires the demonstration of financial feasibility. Secondly, Section 163.3177(3)(b) modifies the requirements for local governments to annually review the capital improvements element. The City is no longer required to transmit the adopted amendment to the state land planning agency, adopt a long-term concurrency management system, or to address financial feasibility.

However, State Statutes still obligates the City to yearly update its capital projects schedule(s) including those being funded by outside agencies which may impact the City; just not as a Comprehensive Plan Amendment. Therefore, this is the yearly update to the Capital Improvements Element (CIE) of the City’s Comprehensive Plan to maintain consistency between the City’s most recently adopted budget and the Comprehensive Plan. The Amendments include deleting and replacing the following outdated Tables:

1. City of Greenacres Capital Improvement Projects – Table 1A
2. Palm Beach County Roadway Project – Table 1B
3. Palm Beach County Water Projects – Table 1C
4. Palm Beach County School Projects - Table 8

## **II. Proposed Comprehensive Plan Amendments:**

The following is a proposed comprehensive plan amendment. Items which are proposed for deletion are in ~~Strike-Through~~, items proposed for addition are in Single Underline.

### **Text Amendment #1:**

## **II. INFORMATION, INVENTORY AND ANALYSIS:**

### **C. CAPITAL IMPROVEMENTS NEEDS**

Capital Improvements where necessary and appropriate have been identified throughout the relevant elements of this plan. Table No. 1A depicts required City capital improvements from the Recreation and Open Space Element, Infrastructure Element (Drainage and Facilities), and Transportation Element necessary to maintain the adopted Level of Service.

Table No. 1A indicates the project by description, the target year wherein the project should commence to maintain service levels and an estimate of the total project costs. All projects have been grouped by the element requiring the capital improvement. Footnotes describe the funding source.

The projects listed in Table No. 1A do not represent the entire capital improvements program for the City. The table merely reflects those improvements necessary to maintain the adopted Level of Service for services the City is fully or partly responsible for as shown elsewhere in the Comprehensive Plan.

<b>Table No. 1A: City Of Greenacres Capital Improvements (2021 - 2027)</b>						
	<b>2021</b>	<b>2022</b>	<b>2023</b>	<b>2024</b>	<b>2025</b>	<b>2026</b>
<b>Recreation</b>						
No projects	0	0	0	0	0	0
<b>Stormwater Management and Sewer Extension</b>						
Gladiator Lake <sup>1</sup>	0	1,300,000	0	0	0	0
Original Section Drainage Improvement <sup>1</sup>	0	275,119	128,654	272,708	0	0
Swain Blvd Sewer <sup>1</sup>	0	0	435,000	3,325,000	0	0
<b>Transportation</b>						
Bowman Street Improvements <sup>2</sup>	0	150,000	0	0	0	0
<b>TOTAL:</b>	0	1,725,119	563,654	3,597,708	0	0

1. The stormwater and drainage enhancements are intended to increase the capacity of these older drainage systems to improve performance and flood protection. Total project costs for FY 2018 through FY 2023 are \$5,611,481. Grant funds of \$433,036.00 are anticipated to be provided through Community Development Block Grants over the same period. The Swain Blvd Sewer improvements will provide sewer infrastructure and therefore capacity to the Original Section of the City, which currently only has septic systems.

2. The Bowman Street improvements will improve a portion of the Bowman Street to City street standards where it connects to South Military Trail, an Urban Principal Arterial (UPA) roadway.

<b>Table No. 1A: City Of Greenacres Capital Improvements (2021 - 2026)</b>						
	<b>2021</b>	<b>2022</b>	<b>2023</b>	<b>2024</b>	<b>2025</b>	<b>2026</b>
<b>Recreation</b>						
Youth Program Building Construction <sup>5</sup>	0	500,000	7,500,000	0	0	0
<b>Stormwater Management and Sewer Extension</b>						
Gladiator Lake <sup>1</sup>	1,825,000	1,822,589	0	0	0	0
Original Section Drainage Improvement <sup>1</sup>	294,956	412,608				
Swain Blvd Sewer <sup>1</sup>	0					
Public Works Generator <sup>3</sup>	\$240,000 <sup>3</sup>					
<b>Transportation</b>						
Bowman Street Improvements <sup>2</sup>	0	175,000	0	0	0	0
<b>Fire Services</b>						

Construction or new Fire Station <sup>4</sup>		500,000	7,500,000			
<b><u>TOTAL:</u></b>	<u>2,359,956</u>	<u>3,410,197</u>	<u>15,000,000</u>		<u>0</u>	<u>0</u>

1. The stormwater and drainage enhancements are intended to increase the capacity of these older drainage systems to improve performance and flood protection. Total project costs for FY 2015 through FY 2022 are \$6,207,952. Grant funds of \$2,978,272 are anticipated to be provided through Community Development Block Grants during 2021 and 2022. The Swain Blvd Sewer improvements will provide sewer infrastructure and therefore capacity to the Original Section of the City, which currently only has septic systems.
2. The Bowman Street improvements will improve a portion of the Bowman Street to City street standards where it connects to South Military Trail, an Urban Principal Arterial (UPA) roadway.
3. The purchase of the generator will provide versatility, functionality and cost efficiency that is required to maintain the City's storm sewer system and its current level of service.
4. To maintain the 911 Fire Call Level of Service a new Fire Station will need to be built. The total project costs are \$8,000,000 which all costs are expected to be paid for by the Federal Government through the American Rescue Plan.
5. To maintain the Youth Services Level of Service a new building will need to be built. The total project costs are \$8,000,000 which all costs are expected to be paid for by the Federal Government through the American Rescue Plan.

Table No. 1B depicts improvements to the County and State roadway network proposed as part of the Palm Beach County's "Five Year Road Program" and shows projects within or adjacent to the City of Greenacres. The Table is based on the Program as of June 2021 ~~December 19, 2017~~. The Program is funded through a combination of gasoline taxes, interest, bonds, impact fees, and miscellaneous revenue, all of which are collected and controlled by Palm Beach County.

<b>Table No. 1B: Palm Beach County Road Program (2018 - 2021)</b>					
<b>Description</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>
<u>Intersection of L.W. Road and Jog Road</u>	630,000	0	0	0	0
<u>Total Greenacres Area Projects</u>	630,000	0	0	0	0
<u>Total Program Revenue</u>	69,317,324	0	0	0	0
<u>Total Program Costs</u>	69,050,000	0	0	0	0

<b>Table No. 1B: Palm Beach County Road Program (2021 - 2025)</b>					
<b>Description</b>	<b>2021</b>	<b>2022</b>	<b>2023</b>	<b>2024</b>	<b>2025</b>
<u>Cresthaven Blvd from Jog Road to Military Trail – buffered bike lanes</u>	0	0	\$760,000 design	0	\$5,000,000 construction
<u>Melaleuca Lane Jog Road Intersection Improvements</u>	\$500,000 ROW Acq.	0	\$2,300,000 construction		
<u>Sherwood Forest Blvd from Lake Worth Rd to north of 10<sup>th</sup> Ave North</u>	\$400,000 Design/ROW			\$3,500,000 construction	
<u>Total Greenacres Area Projects</u>	\$900,000	0	\$3,060,000	\$3,500,000	\$5,000,000

<u>Total Program Revenue</u>	<u>12,460,000</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

Table 1C depicts improvements shown in the Palm Beach County Water Utilities Department's "Water Supply Work Plan" (Capital Improvement Plan Detail) and includes projects throughout their interconnected system. The table is based on the Capital Improvement Plan Detail as of October 21, 2017. All of the projects depicted in Table 1C are 100% funded by Water Utility User Fees.

<b>Table No. 1C: Palm Beach County Water Utilities Department Capital Improvements (2018-2022)</b>					
<b>Description</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>
Water Treatment Plant 2	5,000,000	0	0	12,675,000	84,700,000
<u>Water Treatment Plant 3</u>	<u>2,000,000</u>	<u>2,000,000</u>	<u>2,000,000</u>	<u>2,000,000</u>	<u>2,000,000</u>
<u>Water Treatment Plant 8</u>	<u>4,000,000</u>	<u>0</u>	<u>1,000,000</u>	<u>4,000,000</u>	<u>0</u>
<u>Water Treatment Plant 9</u>	<u>1,750,000</u>	<u>9,515,000</u>	<u>0</u>	<u>0</u>	<u>0</u>
Water Treatment Plant 11	2,600,000	2,000,000	2,000,000	2,000,000	2,000,000
System wide Wellfield Rehabilitation and Replacement	7,250,000	8,750,000	8,500,000	0	0
<b><u>TOTAL:</u></b>	<b><u>22,600,000</u></b>	<b><u>22,265,000</u></b>	<b><u>13,500,000</u></b>	<b><u>20,675,000</u></b>	<b><u>88,7000,000</u></b>

Table 1C depicts improvements shown in the Palm Beach County's Capital Improvement Plan, as amended from time to time, and includes projects throughout their interconnected system. All of the projects depicted in Table 1C are 100% funded by Water Utility User Fees.

<b>Table No. 1C: Palm Beach County Water Utilities Department Capital Improvements (2021-2025)</b>					
<b>Description</b>	<b>2021</b>	<b>2022</b>	<b>2023</b>	<b>2024</b>	<b>2025</b>
Water Treatment Plant 2	0	100,000	0	0	0
<u>Water Treatment Plant 3</u>	<u>0</u>	<u>2,000,000</u>	<u>2,000,000</u>	<u>2,000,000</u>	<u>2,000,000</u>
<u>Water Treatment Plant 8</u>	<u>1,600,000</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
<u>Water Treatment Plant 11</u>	<u>1,000,000</u>	<u>2,000,000</u>	<u>2,000,000</u>	<u>2,000,000</u>	<u>2,000,000</u>
<u>System wide Wellfield Rehabilitation and Replacement</u>	<u>12,600,000</u>	<u>0</u>	<u>3,000,000</u>	<u>3,000,000</u>	<u>3,000,000</u>
<b><u>TOTAL:</u></b>	<b><u>15,200,000</u></b>	<b><u>4,100,000</u></b>	<b><u>7,000,000</u></b>	<b><u>7,000,000</u></b>	<b><u>7,000,000</u></b>

Table 8, below in the Goals, Objectives and Policies Section, depicts the School District of Palm Beach County's Capital Improvement program to maintain the adopted level of service.

**Text Amendment #2 to Table 8 on Pages CIE-26 through CIE-35 (9 pages):**

*Replace existing Table 8 with revised Table 8 attached as “Exhibit A” (13 pages)*

**III. Data and Analysis**

The Capital Improvement Element (CIE) is a requirement of the 1985 Growth Management Legislation which revised Florida Statutes Chapter 163, the Local Government Comprehensive Planning and Land Development Regulation Act. The purpose of the Capital Improvement Element is to evaluate the need for facilities identified in the other Comprehensive Plan Elements, to estimate the cost of improvements for which the City of Greenacres has fiscal responsibility, to analyze the fiscal capability of the City to finance and construct improvements, to adopt financial policies to guide the funding of improvements and to schedule the funding and construction of improvements in a manner necessary to ensure that capital improvements are provided when required, based on needs identified in other plan elements. According to State Statute, the CIE has been updated annually to reflect the current budget of the City, Palm Beach County, and the Palm Beach County School Board.

The subject CIE update is intended to reflect the current fiscal information from the adopted City FY 2021 budget pertaining to the City’s Capital Improvement Program between the years 2021 through 2026. This specifically includes a six (6) year schedule of capital improvements (current fiscal year plus five future years). Also incorporated in the update are the most recent adopted Palm Beach County Road Plan and the Palm Beach County’s Capital Improvement Plan. In addition, this update also includes the latest proposed Capital Improvement Program of the Palm Beach County School District in keeping with Objective 1, Policy a) of the City’s Comprehensive Plan Intergovernmental Coordination Element.

**IV. Consistency with the Strategic Regional Policy Plan and Chapter 163.3184 F.S.:**

Overall, the proposed Comprehensive Plan text amendment is consistent with the Treasure Coast Regional Planning Council’s Strategic Regional Policy Plan and Chapter 163, F.S.

**V. Staff Recommendation:**

The Land Development Staff met on September 23, 2021 to discuss the proposed amendment. No objections were received.

*Approval* of CPA-21-02 through the adoption of Ordinance 2021-15.

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### **LOCAL PLANNING AGENCY ACTION – October 20, 2021**

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The Local Planning Agency on a motion made by Commissioner Edmundson and seconded by Commissioner Roberts, by a vote of five (5) to zero (0) recommended approval of Comprehensive Plan Amendment **CPA-21-02** (*CIE Update*), as presented by staff.

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### **CITY COUNCIL ACTION First Reading – November 1, 2021**

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The City Council on a motion made by Council Member Noble and seconded by Council Member Dugo, voting four (4) to zero (0) *approved* Comprehensive Plan Amendment **CPA-21-02** (*CIE Update*), on first reading through **Ordinance 2021-15**, as presented by staff.

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### **CITY COUNCIL ACTION Adoption Hearing – January 2022**

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